

Exhibit 2 to Exhibit A

Exhibit 3 - U.S. Patent No. 6,233,389 in View Imedia System and Technology

As described in the following claim chart, in my opinion, claims 31 and 61 of U.S. Patent No. 6,233,389 (the “’389 patent”) are invalid in view of the Imedia System and Technology, including:

- (1) ’714 Patent
- (2) Business Projections M-GI0104312-4360 (iCD2)
- (3) HVS Prototype (Imedia source code and schematics M-GI0108883-8911(iCD12))
- (4) Other Imedia Patents (U.S. Patent Nos. 5,949,948; 6,356,708; 5,926,205; 5,966,120; and 6,434,748); and
- (5) Corporate Documents¹ related to the conception and reduction to practice of the Imedia System and Technology.

¹ Imedia Corroborating Documents:

- a. Business Plan for Imedia Corporation, January 1995, Draft v2.1, with Bates range: M-GI0103530 – 3581, hereafter referred to as “iCD1”
- b. Business Plan for Imedia Corporation, January 1995, Draft v2.0, with Bates range: M-GI0104312 – 4360, hereafter referred to as “iCD2” (“Business Projections”)
- c. Business Plan for Imedia Corporation, May 1995, Draft v1.2, with Bates range: M-GI0101526 – 1561, hereafter referred to as “iCD3”
- d. Product Definition: Home Video Server (HVS), February 11, 1995, v 0.1, with Bates range: M-GI0101185 – 200, hereafter referred to as “iCD4”
- e. Presentation to HBO & Toshiba on Home Video Server, March 7, 1995, with Bates range: M-GI0103483 – 3486, hereafter referred to as “iCD5”
- f. Presentation on Home Video Server, April 1995, with Bates range: M-GI0101283 – 1297, hereafter referred to as “iCD6”
- g. Presentation to PrimeStar, August 18, 1995, with Bates range: M-GI0101385 – 1398, hereafter referred to as “iCD7”
- h. Presentation to DirectTV, August 4, 1995, with Bates range: M-GI0101331 – 1344, hereafter referred to as “iCD8”
- i. Presentation to Sony Corporation, July 31, 1995, with Bates range: M-GI0101413 – 1423, hereafter referred to as “iCD9”
- j. Presentation to Sony Corporation, July 31, 1995, with Bates range: M-GI0101501 – 1515, hereafter referred to as “iCD10”
- k. Presentation to Sony Corporation, July 31, 1995, with Bates range: M-GI0101399 – 1412, hereafter referred to as “iCD11”
- l. Engineering schematics, June 1994 – February 1995, with Bates range: M-GI0108883 – 8911, hereafter referred to as “iCD12”
- m. 53CF94 Datasheet, with Bates range: M-GI0109061 – 9136, hereafter referred to as “iCD13”
- n. 74F244 Datasheet, with Bates range: M-GI0109173 – 180, hereafter referred to as “iCD14”
- o. EMP7160 Datasheet, with Bates range: M-GI0108913 – 978, hereafter referred to as “iCD15”
- p. EPM7256 Datasheet, with Bates range: M-GI0108979 – 9038, hereafter referred to as “iCD16”
- q. M518221 Datasheet, with Bates range: M-GI0109039 – 054, hereafter referred to as “iCD17”
- r. MC3487 Datasheet, with Bates range: M-GI0109055 – 060, hereafter referred to as “iCD18”

Exhibit A53

CONFIDENTIAL SOURCE CODE–
OUTSIDE ATTORNEYS EYES ONLY